

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**CHARLIE B. BUCKHOLTS, SR.,**

**Plaintiff,**

**v.**

**ALEXIS E. L. CHASE,**

**Defendant.**

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**CIVIL ACTION NO. 5:10-CV-197(MTT)**

**ORDER**

This case is before the Court on the Recommendation (Doc. 20) of United States Magistrate Judge Claude W. Hicks, Jr. The Defendant had previously filed a Motion to Dismiss (Doc. 10) (the "Motion"), to which the Plaintiff filed his response (Doc. 14). The Magistrate Judge now recommends dismissing the Plaintiff's Petition because it was untimely filed. According to the Magistrate Judge's calculations, the Plaintiff filed his Petition 247 days after the one-year-limitations period for the filing of Federal habeas petitions expired. The Plaintiff did not file an objection to the Recommendation, but instead asked for an extension of time to file an objection (Doc. 22), a request Magistrate Judge Charles H. Weigle denied (Doc. 23). The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. This case is **DISMISSED**.

**SO ORDERED**, this the 9<sup>th</sup> day of November, 2010.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

jch